

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
RALEIGH DIVISION**

<b>IN RE:</b>	)	
	)	
<b>STEPHEN BRADLEY HALFERTY,</b>	)	<b>Case No. 22-00101-5-DMW</b>
	)	
<b>Debtor.</b>	)	
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	)	
<b>EVER-SEAL, INC.,</b>	)	
	)	
<b>Plaintiff/Counter-Defendant,</b>	)	
	)	
<b>v.</b>	)	<b>Adv. Proc. No. 22-00050-5-DMW</b>
	)	
<b>STEPHEN BRADLEY HALFERTY, d/b/a</b>	)	<b>JURY DEMAND</b>
<b>DURASEAL,</b>	)	
	)	
<b>Defendant/Counter-Claimant.</b>	)	
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**PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure and Rule 7056 of the Federal Rules of Bankruptcy Procedure, Plaintiff Ever-Seal, Inc. moves for partial summary judgment in its favor. In support of this motion, Ever-Seal shows the Court the following:

1. Defendant Stephen Bradley Halferty previously worked for Ever-Seal as a salesperson and sales manager.
2. While working for Ever-Seal, Halferty formed a competing company and began to compete directly against Ever-Seal. He continues to do so.
3. There is no genuine dispute that Halferty breached a contract with Ever-Seal.
4. There is no genuine dispute that Halferty intentionally interfered with business relationships.
5. There is no genuine dispute that Halferty cannot prevail on his purported counterclaim.
6. Judgment of liability should be entered in favor of Ever-Seal and against Halferty,

7. Ever-Seal further relies on the memorandum submitted contemporaneously herewith.

WHEREFORE, Ever-Seal respectfully requests that this motion for partial summary judgment be granted, that judgment be entered in favor of Ever-Seal, Inc. and against Halferty as set forth above, and that the amount of Ever-Seal's damages be set for trial along with Ever-Seal's remaining claims.

Respectfully submitted this 21st day of April, 2023.

FOX ROTHSCHILD LLP

By: /s/ Kip D. Nelson

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